

## **DETAILED ACTION**

### ***Remarks***

1. An appeal conference has been held on June 16, 2008.
2. The After Final amendment filed on January 10, 2008 has been entered. The nature of the amendment does not change the issues that argued by Applicant in the Appeal Brief filed on April 17, 2008.

### ***Response to Arguments***

3. Applicants' arguments, see Pages of 8-16 of the Appeal's Brief, filed on April 17, 2008, with respect to claims 14-25 have been fully considered and are persuasive. Accordingly, the rejection of claims 14-16 and 19-25 under 35 U.S.C. § 102(b) and claims 18 and 18 under 35 U.S.C. § 103(a) has been withdrawn.

### ***Allowable Subject Matter***

4. Claims 14-25 are allowed over prior art of record.

### ***Reasons for Allowance***

5. The following is an examiner's statement of reasons for allowance:

After consideration of Appeal Brief filed on April 17, 2008 and further search, it is determined that the prior art of record neither anticipates nor renders obvious the claimed subject matter of the instant application as a whole either taken alone or in combination, in particular, prior art of record does not teach "wherein the collective lens is placed at a position shifted more toward a center of the imaging area than the position of the photoelectric converting portion in a pixel based on a position of each pixel," as recited in claims 14 and 19 respectively.

Claims 15-18 and 20-25 are also allowed as being directly or indirectly dependent of the allowed independent base claim.

***Conclusion***

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Correspondence***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brook Kebede whose telephone number is (571) 272-1862. The examiner can normally be reached on 8-5 Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on (571) 272-1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brook Kebede/  
Primary Examiner, Art Unit 2823

/BK/  
June 17, 2008